## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

HELEN SWARTZ, Individually,

Plaintiff,

vs. : Case No.: 1:18-cv-00533-GBD

741 EIGHTH AVENUE OWNERS, LLC, a New York Limited Liability Company,

Defendant.

## NOTICE OF IMPENDING SETTLEMENT

**COMES NOW** the Plaintiff, Helen Swartz, Individually, by and through undersigned counsel, and informs the Court that the matter has been amicably settled between the Parties, subject to the final execution of the settlement documents, and hereby requests:

- 1. The Plaintiff requests that pursuant to a Court Order, the case be dismissed subject to the right of any party to move the Court within sixty (60) days for the purpose of entering a Joint Stipulation for Dismissal With Prejudice with the Court retaining Jurisdiction to Enforce the Terms of the Settlement Agreement. or, on good cause shown, to re-open the case for further proceedings.
- 2. The Plaintiff requests that in light of the above, the Initial Conference set for July 11, 2018 at 9:30 a.m. be cancelled.

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 3rd day of July, 2018, the foregoing document was filed via the Court's CM/ECF system, which will automatically notice counsel for the Defendant, David Wrobel, Esq., <a href="www.wrobel@wmlawny.com">wrobel@wmlawny.com</a>, Steven I Fox, Esq., <a href="fox@wmlaw.com">fox@wmlaw.com</a>, and M. Katherine Sherman, Esq., <a href="mailto:Sherman@wmlawny.com">Sherman@wmlawny.com</a>, Wrobel Markham Schatz Kay & Fox LLP, 360 Lexington Avenue - Suite 1502, New York, NY 10017

/s/ Lawrence A. Fuller

Lawrence A. Fuller, Esq. (LF5450) Fuller, Fuller & Associates, P.A. 12000 Biscayne Boulevard, Suite 502 North Miami, FL 33181 Telephone: (305) 891-5199

Facsimile: (305) 893-9505 lfuller@fullerfuller.com Attorneys for Plaintiff